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Attorney Docket No. YO999-527



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) Tetsunosuke Fujisaki
Docket No.: YO999-527
Serial No.: 09/710,999
Filing Date: November 9, 2000
Group: 3624
Examiner: Narayanswamy Subramanian

I hereby certify that this paper is being deposited on this date with the U.S. Postal Service as first class mail addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Signature: *John M. Mason* Date: May 7, 2004

Title: Method and Apparatus for Network Marketing of Financial Securities

TRANSMITTAL LETTER

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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MAY 13 2004
GROUP 3600

Sir:

Submitted herewith is a Response to Restriction Requirement relating to the above-identified patent application. There is no additional claim fee due in connection with the Response.

In the event of non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit **IBM Corporation Deposit Account No. 50-0510** as required to correct the error. Duplicate copies of this letter are enclosed.

Respectfully submitted,

Kevin M. Mason

Dated: May 7, 2004

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Patent Application

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Signature: Vina Maurin Date: May 7, 2004

Title: Method and Apparatus for Network Marketing of Financial Securities

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Non-Fee Amendment
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Alexandria, VA 22313-1450

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GROUP 3600

Sir:

This paper is responsive to the Examiner's April 7, 2004 Official Action.

The Examiner found that the claims of the instant application, which are directed to techniques for processing financial securities transactions, describe four distinct inventions. The Examiner therefore required that the application be restricted to one of the following inventions under 35 U.S.C. 121:

- I. Claims 1-5, 9, 17-21 and 32, drawn to a method, a system and an article of manufacture respectively for processing transactions involving financial securities, said method comprising the steps of: establishing a plurality of market segments, each of said market segments having at least one market participant; receiving a bid for one or more financial securities, said bid including one or more authorized market segments; and posting said bid only to said one or more authorized market segments, classified in class 705, subclass 37.
- II. Claims 6-8, 22-24 and 33, drawn to a method, a system and an article of manufacture respectively for submitting a bid for a financial security in a network environment having a plurality of market segments, each of said market segments having at least one market participant, wherein a bid posted to one or more

authorized market segments posts said bid only to market participants in said one or more authorized market segments, said method comprising the steps of: specifying one or more parameters of said bid, including a price; specifying one or more authorized market segments for said bid; and sending said bid to a centralized bid server for posting only to market participants in said one or more authorized market segments, classified in class 705, subclass 37.

III. Claims 9-13, 25-28 and 34, drawn to a method, a system and an article of manufacture respectively for processing transactions involving financial securities, said method comprising the steps of: receiving a bid for one or more financial securities, said bid specifying a plurality of parameters; comparing said bid to other pending bids to identify pending bids that are in proximity to said submitted bid; and establishing a communication channel between entities associated with said bids that are in proximity, classified in class 705, subclass 37.

IV. Claims 14-16, 29-31 and 35, drawn to a method, a system and an article of manufacture respectively for submitting a bid for a financial security in a network environment, said method comprising the steps of: specifying one or more parameters of said bid, including a price; submitting said bid to a centralized bid server for processing; receiving a response from said centralized bid server identifying pending bids having parameters that are within a given threshold to said submitted bid; and selecting at least one of said pending bids and receiving a communication channel for negotiation with an entity associated with said selected pending bid, classified in class 705, subclass 37.

Applicants respectfully assert that the restriction requirement is improper, in part, and should be withdrawn, since Groups I and II both generally require posting a bid to one or more authorized market segments, and it is believed that a complete search for both Groups would require a search of most, if not all, of the individual classes and subclasses. Accordingly, Applicants submit that an examination of both Groups would not impose a serious burden on the Examiner. Where, as here, “the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.” MPEP §803.

Accordingly, it is respectfully requested that the restriction requirement be reconsidered and withdrawn in part, and that all of the pending claims in Groups I and II be examined together in this application, or, alternatively, Applicant hereby elects Group I, claims 1-5, 9, 17-21 and 32, for prosecution in this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kevin M. Mason". The signature is fluid and cursive, with the first name "Kevin" being the most prominent.

Dated: May 7, 2004

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